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DT05 Rec'd PCT/PTO

03 DEC 2004

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To the attn. of V. BEVILACQUA
Authorized Officer

Our.Ref.: A3232.WO192
LL/si

Bologna, 17 maggio 2004

RE: International Application No. PCT/IB03/02498 filed on 06 June 2003
in the name of A.C.M.A. S.p.A. et al.

Dear Sirs,

reference is made to the above identified patent-application and to the first Written Opinion (PCT Rule 66) dated March 9, 2004 (Form PCT/IPEA/408).

The following documents have been applied by the Examiner:

- D1) EP-A-0 816 229
- D2) US-A-4 911 685
- D3) US-A-5 935 686
- D4) GBA- 666 501

The Examiner stated that the subject matter of independent claims 1 and 16 is to be considered new and inventive over the prior art documents.

Moreover, the Examiner objected to claim 21 as lacking novelty over document D1.

The Examiner's objection regarding to claim 21 is respectfully traversed as discussed in the following comments.

CLAIM 21

Sede Legale:

V.le Lancetti, 19 - 20158 Milano (Italia) - www.bugnion.it - Cap. Soc. i. v. € 600.000 - REA 780133 - Reg. Imp. MI. e C.F. 00850400151 - P. IVA IT-00850400151

Novelty

D1 is the document that has much features in common with the present application, so it is considered by the Applicant as the closest prior art. The Examiner had considered document D1 as the closest prior art too.

In particular, document D1 shows:

A leaf of wrapping material from which to fashion a product wrap obtainable by the method comprising:

- a top face presenting a substantially rectangular peripheral outline;
- a pair of first adhesive bands extending along the mutually opposed and parallel shorter sides of the peripheral outline presented by the top face;
- a pair of second adhesive bands extending along the mutually opposed and parallel longer sides of the peripheral outline presented by the top face;
- a placement zone delimited by the pairs of first and second bands, in which to position at least one product;
- a first notch located along each second adhesive band and extending parallel to the first adhesive bands.

Applicant points out that the device of the closest prior art D1 **does not show a second notch establishing an indentation located on a respective second adhesive band and presenting the first notch.**

By contrast document D1 shows only one notch located on the second adhesive bands. It is to be noted that D1 does not disclose in any part of D1 a second notch establishing an indentation. For this reason Applicant does not understand where the Examiner found this technical features in the closest prior art D1.

Therefore, in the Applicant's opinion, the subject matter of claim 21 is clearly new over cited prior art.

Inventive Step

Claim 21 differs from document D1 in the technical features disclosed in the characterizing part.

The distinguishing features of claim 21 face the technical problem of providing an easily openable sealed wrap procured initially as a leaf (as described on page 4 lines 13-16).

Indeed, the second notch establishes an indentation located on a respective second adhesive band which presents the first notch. Therefore the first and second notches provide an aperture from which it is simple to open the wrapping. This is due to the fact

that the second notch establishes an indentation which is visible and therefore, it is more simple to reach the opening of the wrapping.

Document D1 does not face or solve the cited technical problem.
Indeed, the leaf of D1 presents only one notch which is made by the blade (71). Therefore, the notch does not present an indentation and it is not visible and simply accessible to open the wrap.

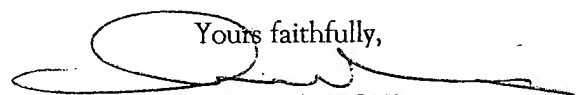
By contrast, in the present invention, the combination of the first and second notch provides an accessible opening for the wrapper.

Moreover, it is to be noted that no document has been found in the prior art which solve the above cited technical problem.

Therefore, independent claim 1 involves an inventive step over the prior art.

In view of the above remarks, reconsideration of the application is respectfully requested.

Yours faithfully,



Luciano LANZONI
c/o BUGNION S.p.A.